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Patent

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Applicants : John J. Acton III, et al

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For : INDOLES HAVING ANTI-DIABETIC ACTIVITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97

Sir:

In compliance with 37 CFR § 1.97, Applicants and other individuals associated with the filing or prosecution of this application wish to bring to the attention of the Examiner the patents, publications, and other information of which they are aware, listed on the attached form PTO-1449, which they believe may be relevant to the examination of this application or may be material to patentability and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56. Applicants respectfully request that the Examiner initial the form PTO-1449 after reviewing the pertinence of each reference.

2/16/2005
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Serial No. To be assigned
Case No. 21116Y
Page 2 10/524697

BT01 Rec'd PCT/PTC 16 FEB 2005

This Information Disclosure Statement is not an admission that any patent, publication, or other information referred to herein is "prior art" for this invention.

In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b). In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Pursuant to 37 CFR § 1.97(b), this Information Disclosure Statement is being filed within three months of the filing date of the present application.

Copies of references other than the US patents and published patent applications that are cited on the attached form PTO-1449 are enclosed herewith.

Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

By James L. McGinnis

James L. McGinnis
Reg. No. 34,387
Attorney for Applicant

MERCK & CO., Inc.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-0641

Date: February 16, 2005

